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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET

APPEAL FROM ORDER NO.58 OF 2007

. . . . . .

| Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions & Registrar's orders | Court's or Judge's order |
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Mr.G.S.Godbole for Himanshu V. Kode for appellant.

Mr.B.P.Shukla for respondent.

CORAM : A.S.OKA, J.
DATE : 22nd March 2007

PC :

1. Heard learned counsel appearing for the parties. Learned counsel for the appellant-plaintiff states that in view of the findings recorded by the Trial Court in the impugned order and in view of the statement made by the respondent in paragraph no.6 of the affidavit-in-reply to Civil Application No.88 of 2007, the appellant desires to withdraw the appeal with liberty to file

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appropriate proceedings before the Trial Court for appointment of Court Receiver. I have heard the learned counsel for the respondent on the said prayer.

2. Appeal is accordingly dismissed as withdrawn. If application for appointment of Court Receiver is made by the appellant, the Trial Court will consider the same on it’s own merits and in accordance with law.

3. In view of dismissal of Appeal from Order, Civil Application No.88 of 2006 does not survive and it stands dismissed as such.

(A.S.OKA, J.)